

1 **R307. Environmental Quality, Air Quality.**

2 **R307-415. Permits: Operating Permit Requirements.**

3 **R307-415-4. Applicability.**

4 (1) Part 70 sources. All of the following sources are
5 subject to the permitting requirements of R307-415, and
6 unless exempted under (2) below are required to submit an
7 application for an operating permit:

8 (a) Any major source;

9 (b) Any source, including an area source, subject to a
10 standard, limitation, or other requirement under Section 111
11 of the Act, Standards of Performance for New Stationary
12 Sources;

13 (c) Any source, including an area source, subject to a
14 standard or other requirement under Section 112 of the Act,
15 Hazardous Air Pollutants, except that a source is not
16 required to obtain a permit solely because it is subject to
17 regulations or requirements under Section 112(r) of the Act,
18 Prevention of Accidental Releases;

19 (d) Any Title IV affected source.

20 (2) ~~[Source category e]Exemptions. [The following~~
21 ~~source categories are exempted from the requirement to obtain~~
22 ~~an operating permit.]~~

23 (a) All~~[sources and]~~ source categories that would be
24 required to obtain an operating permit solely because they
25 are subject to 40 CFR Part 60, Subpart AAA - Standards of
26 Performance for New Residential Wood Heaters, are exempted
27 from the requirement to obtain a permit.[÷]

28 (b) All ~~[sources and]~~ source categories that would be
29 required to obtain an operating permit solely because they
30 are subject to 40 CFR Part 61, Subpart M - National Emission
31 Standard for Hazardous Air Pollutants for Asbestos, Section
32 61.145, Standard for Demolition and Renovation, are exempted
33 from the requirement to obtain a permit. For Part 70
34 sources, demolition and renovation activities within the
35 source under 40 CFR 61.145 shall be treated as a separate
36 source for the purpose of R307-415.

37 (c) Certain area sources have been exempted from the
38 requirement to obtain an operating permit under a subpart
39 of 40 CFR Part 63. These include:

40 (i) 40 CFR Part 63, Subpart M, National
41 Perchloroethylene Air Emission Standards for Dry Cleaning
42 Facilities;

43 (ii) 40 CFR Part 63, Subpart N, National Emission
44 Standards for Chromium Emissions From Hard and Decorative
45 Chromium Electroplating and Chromium Anodizing Tanks;

46 (iii) 40 CFR Part 63, Subpart O, Ethylene Oxide
47 Emission Standards for Sterilization Facilities;

(iv) 40 CFR Part 63, Subpart T, National Emission Standards for Halogenated Solvent Cleaning;

(v) 40 CFR Part 63, Subpart RRR, National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.

(3) Emissions units and Part 70 sources.

(a) For major sources, the Executive Secretary shall include in the permit all applicable requirements for all relevant emissions units in the major source.

(b) For any area source subject to the operating permit program under R307-415-4(1) or (2), the Executive Secretary shall include in the permit all applicable requirements applicable to emissions units that cause the source to be subject to the operating permit program.

(4) Fugitive emissions. Fugitive emissions and fugitive dust from a Part 70 source shall be included in the permit application and the operating permit in the same manner as stack emissions, regardless of whether the source category in question is included in the list of source categories contained in the definition of major source.

(5) Control requirements. R307-415 does not establish any new control requirements beyond those established by applicable requirements, but may establish new monitoring, recordkeeping, and reporting requirements.

(6) Synthetic minors. An existing source that wishes to avoid designation as a major Part 70 source under R307-415, must obtain federally-enforceable conditions which reduce the potential to emit, as defined in R307-101-2, to less than the level established for a major Part 70 source. Such federally-enforceable conditions may be obtained by applying for and receiving an approval order under R307-401. The approval order shall contain periodic monitoring, recordkeeping, and reporting requirements sufficient to verify continuing compliance with the conditions which would reduce the source's potential to emit.

KEY: air pollution, environmental protection, operating permit, emission fee

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